



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

921 BAIL APPLICATION NO. 931 OF 2025

KARAN VASANT SURYAWANSHI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Gopal D. Kale

APP for Respondent/State: Mr. N. D. Batule

Advocate for Respondent No.2 : Mr. Ajinkya Reddy

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CORAM : ARUN R. PEDNEKER, J.

DATE : 03.07.2025

P.C. :

1] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the victim / respondent no.2.

2] The applicant is seeking bail as he was arrested on 18.02.2025 in connection with Crime No.88/2025, dated 18.02.2025, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 63(d)(vi), 64(1), 64(2)(i), 64(2)(m), 75(1)(i), 115(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 & under Sections 4, 6 and 8 of the POCSO, 2012.

3] The case is registered against the applicant at that time the victim was around 19 years and the applicant

aged around 21 years. It is stated in the FIR that on 31.12.2023, the applicant has kept forceful physical relations with the victim and the video was made of the incident and, thereafter, on the basis of the threat given by the applicant further physical relations were maintained. As such, the applicant is arrested on 18.02.2025. The investigation is completed and the charge-sheet is filed and the applicant has applied for bail.

4] The learned counsel for the applicant submits that the missing complaint was filed by the father on 17.01.2025 in which the statement of the complainant was recorded by the Police on 28.01.2025, wherein before the police she has stated that on 16.01.2025 she has moved to the house of the applicant and that she would not go to the parents house and would continue to stay with the applicant.

5] The learned counsel for the applicant submits that thereafter the familiar relations having improved the informant went back to her parent's house and, thereafter, the FIR is registered. He submits that the allegation is made by the informant that the first physical relation was maintained on 31.12.2023. At that time, the victim was of 17 years, 10 months and 20 days. The same incident is narrated only to bring the offence under the POCSO Act and that there are consensual relations between the applicant

and the victim and on account of the above the case is registered. Considering the same, the applicant can be granted bail.

6] The learned APP so also the learned counsel appearing for the complainant has resisted the bail application. They have stated that physical relations with the victim were maintained by giving threat of the video being made viral. The physical relations were maintained at the instance of the applicant on the basis of the threat issued by the applicant to the victim.

7] Perused the material available on record and considered the rival submissions. The victim had stayed with the applicant over the period of time and that she has also in her statement to the Police had stated that she is 19 years of age and had moved into the house of the applicant on her own will. Although, the applicant is arrested and is in custody, the alleged video is not recovered by the prosecution. Prima-facie, the parties were in love relations. Considering the above, applicant deserves to be granted bail.

8] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in

connection with Crime No.88/2025, dated 18.02.2025, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 63(d)(vi), 64(1), 64(2)(i), 64(2)(m), 75(1)(i), 115(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 & under Sections 4, 6 and 8 of the POCSO Act, 2012, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

9] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

10] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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